Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

	Application Number		10795962	
INFORMATION BIOOL COURT	Filing Date		2004-03-08	
INFORMATION DISCLOSURE	First Named Inventor	Charle	es Averty	
STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99)	Art Unit		2641	
(Not for Submission under or of K 1.00)	Examiner Name			
	Attorney Docket Number		851663.464	

U.S.PATENTS Remove											
Examiner Initial*	Cite No	Patent Number	Kind Code <sup>1</sup>	Issue D	)ate	of cited Document			s,Columns,Lines where vant Passages or Relevant es Appear		
	1										
If you wish to add additional U.S. Patent citation information please click the Add button.											
			U.S.P	ATENT	APPLIC	CATION PUBI	LICATIONS		Remove		
Examiner Initial*	Cite No	Publication Number	Kind Code <sup>1</sup>	Publica Date	ition	of sited Document			es,Columns,Lines where vant Passages or Relevant res Appear		
	1										
If you wish to add additional U.S. Published Application citation information please click the Add button. Add											
				FOREIG	SN PAT	ENT DOCUM	ENTS		Remove		
Examiner Initial*	Cite No	Foreign Document Number <sup>3</sup>	Country Code <sup>2</sup>	- 1		Publication Date	Name of Patentee Applicant of cited Document	or    -	vhere Rel	or Relevant	T5
	1										
If you wish to add additional Foreign Patent Document citation information please click the Add button Add											
NON-PATENT LITERATURE DOCUMENTS Remove											
Examiner Initials* Cite Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc), date, pages(s), volume-issue number(s), publisher, city and/or country where published.								T5			

## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

( Not for submission under 37 CFR 1.99)

Application Number		10795962	
Filing Date		2004-03-08	
First Named Inventor Charle		es Averty	
Art Unit		2641	
Examiner Name			
Attorney Docket Number		851663.464	

	1	Davidson, Grant A. et al., "Parametric Bit Allocation in a Perceptual Audio Coder," 97th Convention of Audio Engineering Society. 1-20, November, 1994.						
	2 Pan, Davis, "A Tutorial on MPEG/Audio Compression," IEEE Journal on Multimedia. Summer, 1995.							
	3	Zwicker, E, "Subdivision of the Audible Frequency Range into Critical Bands," Journal of the Acoustical Society of America. 33(2):248, February, 1961.						
If you wisl	h to ad	ld add	itional non-patent literature document citation information p	lease click the Add b	outton Add			
EXAMINER SIGNATURE								
Examiner Signature /Brian Albertalli/ Date Considered 03/03/20				03/03/2008				
*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through a citation if not in conformance and not considered. Include copy of this form with next communication to applicant.								
<sup>1</sup> See Kind Codes of USPTO Patent Documents at <a href="https://www.USPTO.GOV">www.USPTO.GOV</a> or MPEP 901.04. <sup>2</sup> Enter office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>3</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>4</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>5</sup> Applicant is to place a check mark here if English language translation is attached.								

## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

( Not for submission under 37 CFR 1.99)

Application Number		10795962
Filing Date		2004-03-08
First Named Inventor Charle		es Averty
Art Unit		2641
Examiner Name		
Attorney Docket Number		851663.464

	CERTIFICATION STATEMENT							
Plea	Please see 37 CFR 1.97 and 1.98 to make the appropriate selection(s):							
	That each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e)(1).							
OR	OR							
	That no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e)(2).							
	See attached certification statement.							
	Fee set forth in 37 CFR 1.17 (p) has been submitted herewith.							
	None							
SIGNATURE  A signature of the applicant or representative is required in accordance with CFR 1.33, 10.18. Please see CFR 1.4(d) for the form of the signature.								
Sigr	nature	/Robert lannucci/	Date (YYYY-MM-DD)	2006-12-14				
Nan	ne/Print	Robert lannucci	Registration Number	33,514				
			·	•				

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1 hour to complete, including gathering, preparing and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.** 

## **Privacy Act Statement**

The Privacy Act of 1974 (P.L. 93-579) requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

- 1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether the Freedom of Information Act requires disclosure of these record s.
- A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a
  court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement
  negotiations.
- 3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
- 4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
- A record related to an International Application filed under the Patent Cooperation Treaty in this system of records
  may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant
  to the Patent Cooperation Treaty.
- 6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
- 7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
- 8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspections or an issued patent.
  - 9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.